

F-6824

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Walter MÜLLER et al.  
Serial No. : 09/647,290  
Filed : November 28, 2000  
For : TRANSDERMAL THERAPEUTIC SYSTEM  
WHICH CONTAINS A d2 AGONIST AND  
WHICH IS PROVIDED FOR TREATING  
PARKINSONISM, AND A METHOD FOR THE  
PRODUCTION THEREOF  
Group Art Unit : 1615  
Examiner : Isis Ghali

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C. Bruce Hamburg  
(Name)

  
(Signature)

Assistant Commissioner for Patents  
Washington, D.C. 20231

RESPONSE

Sir:

In response to the Office Action of December 14, 2001, the following is submitted:

Group I (claims 18-33) is elected with traverse.

The Examiner's attention is respectfully directed to MPEP 1893.03(d) Unity of Invention, as follows:

" \*\*\*

Examiners are reminded that unity of invention (not restriction) practice is applicable in international applications (both Chapter I and II) and in national stage (filed under 35 U.S.C. 371) applications. ...

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" ... The basic principle is that an application should relate to only one invention or, if there is more than one invention, that application would have a right to include in a single application only those inventions which are so linked as to form a single general inventive concept.

" A group of inventions is considered linked to form a single general inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature. ...

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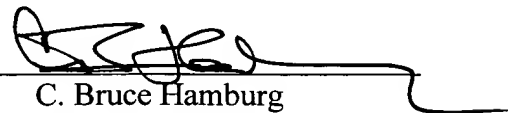
" A process is 'specially adapted' for the manufacture of a product if the claimed process inherently produces the claimed product with the technical relationship being present between the claimed process and the claimed product. The expression 'specially adapted' does not imply that the product could not also be manufactured by a different process."

Applying these principles, particularly the last, unity of invention exists and, therefore, the requirement for election should be withdrawn. This, moreover, would be consistent with the treatment of the application in the international stage. In particular, in the International Preliminary Examination Report, unity of invention was not found lacking.

Respectfully submitted,

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By



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